

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

UNITED STATES OF AMERICA,

NO. CR12-62-RSL

Plaintiff,

V.

YOAN BORJORQUEZ,

DETENTION ORDER

Defendant.

Offense charged:

Count 1: Conspiracy to Distribute Heroin and Methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)

Date of Detention Hearing: May 16, 2012

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR RETENTION

1. Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.
2. Defendant is a citizen of Mexico.
3. An immigration detainer has been placed on defendant by the United States Immigration and Customs Enforcement.

DETENTION ORDER

18 U.S.C. § 3142(i)

1 4. Defendant has stipulated to detention, but reserves the right to contest his
2 continued detention if there is a change in circumstances.
3 5. There are no conditions or combination of conditions other than detention that
4 will reasonably assure the appearance of defendant as required or ensure the
5 safety of the community.

6 IT IS THEREFORE ORDERED:

7 (1) Defendant shall be detained and shall be committed to the custody of the
8 Attorney General for confinement in a correction facility separate, to the extent
9 practicable, from persons awaiting or serving sentences or being held in custody
10 pending appeal;
11 (2) Defendant shall be afforded reasonable opportunity for private consultation with
12 counsel;
13 (3) On order of a court of the United States or on request of an attorney for the
14 government, the person in charge of the corrections facility in which defendant
15 is confined shall deliver the defendant to a United States Marshal for the
16 purpose of an appearance in connection with a court proceeding; and
17 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
18 counsel for the defendant, to the United States Marshal, and to the United States
19 Pretrial Services Officer.

20 DATED this 16th day of May, 2012.

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23 JAMES P. DONOHUE
24 United States Magistrate Judge
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